IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODPUR

ORDER

S.B. Criminal Transfer Petition No.23/2007

(Krishan Kumar Vs. State & Smt. Jyoti)

Date of Order : 23rd October , 2007

HON'BLE MR. H.R. PANWAR, J.

Mr. V.K. Sharma for petitioner.

By the instant criminal transfer petition under Section 407 Cr.P.C., the petitioner seeks transfer of Criminal Cases No.305/2006 and 176/2007 pending before the Court of Judicial Magistrate, Rawatbhatta, District Chittorgarh seeking monthly allowance of maintenance under Section 125 Cr.P.C. on the ground that the petitioner has filed an application under Section 9 of the Hindu Marriage Act at Udaipur.

I have heard learned counsel for the petitioner and perused the material available on record.

It is contended by the learned counsel for the petitioner that the Court at Rawatbhata has no jurisdiction to try

the case under Section 125 Cr.P.C.

The contention of learned counsel cannot be accepted for the reason that the respondent has been turned down from her matrimonial home from Udaipur and she has been residing at Rawatbhata, therefore, she has filed the application before the Court of Rawatbhata seeking monthly allowance. The Court at Rawatbhata has jurisdiction to try the case.

In these circumstances, I do not see any reason to entertain the transfer petition. The criminal transfer petition is, therefore, dismissed.

(H.R. PANWAR), J.

vij

S.B. Criminal Stay Petition No.1240/2007
(Krishan Kumar Vs. State & Smt. Jyoti)

Date of Order : 23rd October , 2007

HON'BLE MR. H.R. PANWAR, J.

Mr. V.K. Sharma for petitioner.

Since the main petition itself has been dismissed, the stay petition also stands dismissed.

(H.R. PANWAR), J.

vij